

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)
Plaintiff,) Case No.: 2:16-cr-00265-GMN-CWH-18
vs.)
ORDER
JOHNNY RUSSELL NEDDENRIEP,)
Defendant.)

ORDER

Pending before the Court is the Report and Recommendation of the Honorable United States Magistrate Carl W. Hoffman, (ECF No. 1395), which states that Defendant Johnny Russell Neddenriep's Motion to Dismiss Count Seven or Count Nine Under 18 U.S.C. § 924(c), (ECF No. 800), should be denied.

15 A party may file specific written objections to the findings and recommendations of a
16 United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B);
17 D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo
18 determination of those portions to which objections are made. *Id.* The Court may accept, reject,
19 or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge.
20 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). Where a party fails to object, however, the Court is
21 not required to conduct “any review at all . . . of any issue that is not the subject of an
22 objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized
23 that a district court is not required to review a magistrate judge’s report and recommendation
24 where no objections have been filed. *See, e.g., United States v. Reyna-Tapia*, 328 F.3d 1114,
25 1122 (9th Cir. 2003).

1 Here, no objections were filed, and the deadline to do so has passed.

2 Accordingly,

3 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 1395), is
4 **ACCEPTED and ADOPTED** in full.

5 **IT IS FURTHER ORDERED** that Defendant Neddenriep's Motion to Dismiss Count
6 Seven or Count Nine Under 18 U.S.C. § 924(c), (ECF No. 800), is **DENIED**.

7 **DATED** this 2 day of January, 2019.

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Gloria M. Navarro, Chief Judge
United States District Court

